

West Virginia Department of Health and Human Resources
PUBLIC WATER SYSTEM SUPERVISION PROGRAM
MID-YEAR PROGRESS REPORT FY 05
May 2005

This Guidance attempts to capture all of the tasks which make up a state's drinking water program, whether for Primacy purposes under the Safe Drinking Water Act or those activities which could be funded with the DWSRF set-aside funds.

This Guidance attempts to capture activities for two years for those states wishing to develop two-year workplans and PWSS applications reflecting a two-year budget.

Table of Contents for Program Guidance and Reporting Checklist

1. New Focus Activities for FY 2005-2006
2. Activities Required to Maintain Primacy
 - 2.1 Data Management
 - 2.2 Compliance and Enforcement, including Base Program Primacy requirements
 - 2.3 New Regulation Development

2.4 Surveillance and Technical Assistance

2.5 Program Management

3. DWSRF Activities

3.1 Capacity Development

3.2 Operator Certification Programs

3.3. Source Water Assessment and Protection Programs

4. Recommended Activities

5. Additional State Activities funded with PWSS grant monies

Attachments:

Appendix A. New Rule Adoption Deadline Dates for States

Appendix B. Key Performance Measures

Appendix C. FY 2005 Calendar

Appendix D. Capacity Development Program Report

Appendix E. Summary of Reporting Requirements

Appendix F. SWAP Completed for Each Source Water Area

Appendix G. Organizational Chart

All reporting is considered to be via the semi-annual self-assessments, unless noted otherwise.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
1.	<p>New Focus Activities for FY '05-06</p> <p>These are the activities which need special emphasis during the year due to their importance or due to a regulatory deadline. These are listed here to capture your attention. These activities should not reduce the focus placed on responding to acute health contaminants at all public water systems.</p> <ul style="list-style-type: none"> Continuation of Emergency Preparedness/Increased Security Activities with both state staff and public water suppliers, including responding to threats and emergencies. New Rule Development and adoption or submission of extension requests. Implementation of new federal rules to the extent possible under state regulations and as per Extension Agreements. State Specific Activities Continuation of Operator Certification Programs Continue to improve Quality Systems and documentation of these systems, including revisions to QMPs and/or QAPPs as necessary due to the adoption of new regulations. <p>The reporting on these activities should be done in the corresponding section of this Checklist.</p>		
2.	Activities Required to Maintain Primacy See elements of §§142.10, 142.12, 142.14, 142.15, and 142.16		
2.1	Data Management		
2.1.1	Participate in and follow-up to EPA Data	Next DV to be	Addressed in individual sections below.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	Verification Audit findings. State will address major findings of the report and report to EPA on its activities to prevent future occurrences. State specific issues remaining from 2002 Report will be addressed in a. thru i. of this section.	held in 2005.	
2.1 Data Management cont.			
2.1.1.a	Train staff to interpret and review monthly operating reports (MORs) for the SWTR. Report on progress.	Report on progress in semi-annual self assessments	On-going.
2.1.1.b	Central Office should institute tracking system for radiological contaminants.		Completed via SDWIS / State.
2.1.1.c	Work w/ EPA to correct 1995-2002 data in SDWIS/Fed (total replace file vs DTF writer) Mostly Phase II/V violation data errors. Give update on progress.		Continuing to work with Region III to address data errors.
2.1.1.d	Address all missing/incorrect data in SDWIS/Fed e.g., lat/long and source treatment flag status.		All missing and incorrect data has been inserted or corrected.
2.1.1.e	Describe the process/procedure for making changes involving SDWIS/State water system inventory as it relates to the SDWIS/State change form.		Currently two district offices send changes via a SDWIS/State change form. Central Office employee makes the changes in SDWIS, dates and files the form. The remaining three district offices have been given authority to enter directly into SDWIS/State.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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2.1.1.f	Report on progress for training all District Offices in SDWIS 8.0 version.		All district offices have received some training; additional training may be needed as new modules / new authorizations are given.
2.1.1.g	Make sure PWSIDs for water sources are consistent through inactivation and reactivations. Report on progress for correcting all data to reflect original PWSID assigned.		Water sources are typically assigned to a specific PWSID which helps assure that errors do not occur. Procedure has been in place for several years.
2.1.1.h	Conduct follow-up quarterly monitoring to determine if systems are reliably and consistently below the MCL.		PWSs are required to go to quarterly sampling for at least 2 consecutive quarters for groundwater sources and 4 consecutive quarters for surface water sources, unless the original results are invalidated by some means.
2.1.1.i	States must enforce LCR sampling of every 3 years. Report on status of getting systems back on schedule for sampling every 3 years.	Report on progress in semi-annual self assessments	Implementing the use of SDWIS/State for compliance, the 2002-04 sampling period is a transition to get all systems on the same 3-year sampling period. December 31, 2004 all systems <i>allowed</i> to be on a 3-year schedule <i>should be</i> on the same 3-year schedule as Phase II/V.
2.1.2	Maintain a data base management system that accurately tracks the inventory (including routine updates of system information), tracks water quality monitoring information, and calculates monitoring and reporting (M/R) and maximum	Report quarterly to EPA requesting assistance on status of any	West Virginia continues to improve the optimal use of SDWIS/State for inventory, water quality and calculating M/R and MCL violations. This is an on-going project.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	contaminant level (MCL) violations for all rule implementation priorities. §142.14(c)	new programming	
2.1.3	Report all violations and inventory updates for all systems, and for all rule implementation priorities, to the Safe Drinking Water Information System (SDWIS)/Federal system (FED) Also report any problems in reporting to SDWIS/FED on time. §142.15(a) & (b)	Report quarterly (within 45 days of the end of each quarter)	Disinfection By-Products monitoring violations are being rejected during the data migration process from SDWIS/State to SDWIS/Fed. Data Management modernization efforts <u>on the federal level</u> will correct this problem next fiscal year.
2.1.4	SDWIS/FED reporting includes the following activities: a. Report all inventory updates with at least all of the mandatory reporting elements that determine grant eligibility. Refer to <i>Appendix A of the Consolidated Summary of State Reporting Requirements for the Safe Drinking Water Information System (SDWIS)</i> documentation, for the details on this reporting.		2.1.4. On-going through the use of SDWIS/State.
2.1.5	b. Report all M/R, MCL, Public Notification (PN), and treatment technique violations for all rules including M/R violations for unregulated contaminant monitoring. This activity includes tracking monitoring results, and recording violations for all community water systems (CWS), non-transient non-community water	Report quarterly (within 45 days of the end of each quarter)	

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	<p>systems (NTNCWS), and transient non-community water systems (TNCWS).</p> <p>WV DHHR should pay particular attention to the Public Notices for non-MCL and TT violations.</p>		
2.1.6	<p>c. Report all formal enforcement actions and successfully link them to all appropriate violations.</p> <p>d. Report all variances and exemptions</p> <p>e. Report all milestone information required under the regulations.</p> <p>f. Report all required SWTR data (e.g., treatment codes for all surface water, purchased surface water, GUDI and purchased GUDI sources, seller's public water system identification (PWSID) number for purchased surface water and purchased GUDI sources, filtration reason codes, etc.)</p>		2.1.6. On-going through the use of SDWIS/State.
2.1.7	Report compliance achieved, identify and correct erroneous data, and submit deactivation data to SDWIS/FED for all applicable systems, especially Significant Non-compliers (SNCs).		2.1.7. On-going through the use of SDWIS/State and on-going data quality checks.
2.1.8	Plan for and make system programming changes to meet any changes to the reporting requirements that will be effective in FY 2005 or early FY 2006. (Appendix A of Document EPA-812-B-95-001 summarizes all of the current reporting	Report quarterly	2.1.8. On-going. Proposed changes have been identified; required modifications to existing procedures are being considered.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	requirements.) Specifically, plan for new regulation reporting requirements in sufficient time to meet reporting deadlines of these new rules. Also see Implementation Guidances for each new rule for details on data management/data reporting requirements.		
2.1.9	Verify and ensure the accuracy of SDWIS/FED data when SDWIS printouts are made available to the State.	As requested	Error reports from SDWIS/Fed are addressed as time allows; our goal is to correct all errors before the next quarterly report.
2.1.10	LCR - Ensure that 90 th percentile lead level levels for each system serving a population over 3,300 in addition to action level exceedences		Completed. Updated as new information is received in SDWIS.
2.1.11	LCR unaddressed violations - Update data on PWSs that received a violation for monitoring or missed milestones and do not have a follow-up action reported for compliance achieved (i.e., SOX) that is linked to the violation. §142.16(c)(4)	Report quarterly, (within 45 days from the end of each quarter	On-going through data quality review.
2.1.12	Report Public Notice (PN) violations on a routine basis where appropriate. §142.15(a)(1)		On-going.
2.1.13	For new rules , (M/DBP, LCRM, FBRR, IESWTR, Rads, Arsenic, and LT1) enter data into SDWIS. States not using SDWIS-State must develop the capability of reporting to SDWIS as per Extension/Implementation Agreements. For new rules which are in effect, but the state does	As new modules become available. Non-SDWIS	Using the latest version of SDWIS/State. On-going.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	not have Primacy, report information for EPA, Region III to make compliance determinations (see specific reporting needs in applicable Extension or Letter Agreements). Report on status of installation of SDWIS 8.0 version. If not installed, explain how data is being tracked for new rules and when new version is expected to be installed.	data should be reported by the dates specified in Agreements.	
2.1.14	Lead and Copper Rule Minor Revisions (LCRMR) - SDWIS-FED will <u>no</u> longer accept data which does not meet the new LCRMR reporting requirements. States not using SDWIS-State must report data in accordance with new requirements. States using SDWIS-State will report in accordance with revised modules.	Report in accordance with revised modules.	Completed.
2.2 Compliance and Enforcement including Implementation of all PWSS Program Activities required by 40 C.F.R. §§142.15 & 142.16. Activities are listed by general first and then by National Primary Drinking Water Regulation (NPDWR).			
2.2.1	Complete Annual Compliance Report by July 1 st , for previous calendar year. SDWA Section 1414(c)	July 1st	Completed.
2.2.2	Promote compliance with the regulations. Notifying all systems of regulatory requirements	Report Semi-annually	On-going through the use of newsletters, individual letters, training courses, etc.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	and responding to questions (this includes CWSs, NTNCWSs and TNCWSs), taking enforcement action against recalcitrant or noncompliant systems, providing technical assistance, and issuing waivers, variances and exemptions, where appropriate. Give detailed comments <u>if possible</u> on what specific actions have been taken to promote compliance.		Systems are notified when not in compliance and Administrative Orders are issued when appropriate.
2.2.3	Maintain records of pertinent State decisions (e.g., filtration decisions, waiver determinations, public notification provisions). Report to system files all responses to M/R and MCL violations in accordance with escalation procedures as negotiated in the State Compliance Strategy. Report to system files all documentation of informal enforcement activities. §142.14	On-Going	On-going.
2.2.4	Provide responses on SNC systems, on a quarterly basis using the standard format supplied with quarterly lists, to the SDWA Branch. Work with EPA SNC Coordinator to determine why problems are occurring and take steps to correct. Stay on February 15 th schedule.	Feb. 15, 2005 and Feb. 15, 2006	On-going.
2.2.5 Government Performance and Results Act (GPRA) State Reporting Measures and Key PWSS Program Performance Indicators GPRA Measures: Reporting is met by reporting the required quarterly SDWIS compliance data or through other reporting already done			

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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under other initiatives such as the Source Water Matrix or Wellhead Protection Program reports. For information not already reported to EPA, reporting frequency is semi-annual . The following are the GPRA State Core Performance Measures and Associated Reporting Requirements:			
A	EPA Region III PWSS Key Performance measures - FY'02 will serve as the baseline for the FY'05-'06 time frame. See Table in PWSS Guidance, Appendix B.	NA	This information is tracked in SDWIS. No additional reporting burden to state.
2.2.6	<p>SWTR: Implement the entire rule Complete GUDI determinations for all CWS and all NCWS as per negotiated deadlines since regulatory GUDI determination deadlines have past: CWS - June 29, 1994; NCWS - June 29, 1999</p> <p>Report in semi-annual self-assessment the number of filtration evaluations and the number of GUDI assessments completed and expected timeframe for completion of remainder. Source type changes should be recorded in SDWIS. Deadlines to install filtration must be met.</p> <p>Give status of %s for active/seasonal systems and unresponsive/orphan systems.</p>	<p>Semi-annual self-assessment; SDWIS</p> <p>TO DO: for states with new schedules for completion, edit the dates to reflect what's in the schedule</p>	<p>As of 3-31-05 for PWS systems active before 1-1-04, the following systems have been evaluated:</p> <p>CWS: 100% NCNT: 94% Note: 9 systems (6.0%) are currently testing. NCT: 92.5% Note: 38 systems (7.5%) are currently testing.</p> <p>-----</p> <p>As of 3-31-05 for PWS systems active after 1-1-04, the following systems are being evaluated:</p> <p>CWS: 3 systems testing new wells or are a new system. NCNT: 4 systems testing new wells or are a new system. NCT: 14 systems are new.</p> <p>NOTE: Remaining PWS systems active before 1-1-04 are currently testing, conducting additional testing or have new supply in-takes. These systems are being contacted by phone and in writing. Some have responded. District engineers continue to assist systems in the sampling.</p>
2.2.7	TCR: Implement the entire rule for all system types. Implementation includes: enforcing routine and repeat monitoring, making compliance determinations, conducting sanitary surveys, and	Semi-annual self-assessment	TCR plans are reviewed as part of the Sanitary Survey to verify that the plan submitted to the district office is being followed. No major TCR implementation issues have been identified.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	reviewing sample site plans. Enforce additional routine monitoring the month following a positive sample and PN requirements. Report the number of sample site plans reviewed <u>if possible</u>, and discuss any major TCR implementation issues or problems.		
2.2.8	Phase II and V Rule for nitrates and nitrites: Implement the entire rule for all system types. Implementation includes: enforcing initial and follow up monitoring, making compliance determinations, and following up on violations	Semi-annual self-assessment	On-going. Violations are reported via SDWIS/ State.
2.2.9	Phase II and V Rule for Chronic Contaminants: Implementation includes making compliance determinations for monitoring that has been conducted, enforcing follow-up monitoring where results are greater than the MCL, and follow-up on MCL violations. States are also encouraged to make development and implementation of waiver programs a priority implementation activity. Enforce follow-up monitoring requirements where results are less than the trigger level. Enforce initial monitoring, and enforce follow-up monitoring where results are between the trigger level and the MCL.		On-going. Violations are reported via SDWIS / State.
2.2.10	Lead and Copper Rule (LCR) including the Minor Revisions for all PWSs: Implement the entire rule for all systems. Enforce routine water quality parameter monitoring and additional lead	Semi-annual self-assessment	On-going. Violations are reported via SDWIS / State.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	and copper monitoring. Enforce public education for all systems. Report action level exceedances and milestone information to SDWIS.		
2.2.11	Stage I DBP: Continue implementation of the Stage 1 DBP. Ensure that systems update their monitoring plan if they change any of their sampling locations or dates.		On-going. Violations are reported via SDWIS / State.
2.2.12	IESWTR: Continue implementation of IESWTR. Provide a list of systems that have had a sanitary survey completed during the previous year and an annual evaluation of your state's program for conducting sanitary surveys (§142.15(c)(5)).		WVAWC – Kanawha Valley System (WV3302016) South Putnam PSD (WV3304011) Berkeley County PSC (WV3300218) City of Fairmont (WV3302502)
2.2.13	Rads: Implement the radionuclides rule. Work with PWS's, as needed, to ensure they are aware of their regulatory requirements. Work with the appropriate state agency to identify systems designated as "contaminated" or "vulnerable to contamination" by nuclear effluents and monitor accordingly.		Letters and newsletters have been distributed to producing community water systems. No systems have been identified as contaminated or vulnerable to contamination.
2.2.14	Arsenic: Implement the Arsenic rule. Work with PWS's, as needed, to ensure they are aware of their regulatory requirements.		Systems have been identified and notified that may need to install treatment.
2.2.15	FBRR: Review plant recycling information	Semi-annual	Routinely reviewed as part of the Sanitary Survey

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	during sanitary surveys.	self-assessment	procedures.
2.2.16	LT1: Inform the affected systems of their requirements under the rule and report any violations to SDWIS/FED.		Systems have been notified of the requirements via newsletters, individual letters, site visits, and training courses. Violations reported via SDWIS / State.
2.2.17	All Other Currently Regulated Chemicals: Take enforcement actions for all arsenic MCL and M/R violations. Enforce total trihalomethane monitoring and MCL violations. Enforce current radionuclide standards. Enforce monitoring for other contaminants. Enforce against systems with other MCL violations		On-going.
2.2.18	PN Rule: Include public notification requirements in compliance assistance and enforcement actions that are taken on MCL, treatment technique, and M/R violations following all aspects of Revised PN Rule effective May 2002.		On-going.
2.2.19	Revise the State Compliance Strategy to reflect changes in the State and Federal regulations, including revised Penalty Authorities, any new or revised State MCLs, any new SNC definitions, State procedural or organizational changes, and State/U.S. EPA Enforcement Agreements. The revisions should also include updated timely and appropriate flow charts for TCR, total trihalomethane, Radionuclides, Phase 2 and 5, SWTR, Lead Ban, and LCR violations, the CCR rule, IESWTR and DDBP rule, LCRMR, Arsenic,	As needed; Semi-annual self assessment	Revision completed May 2003; copy submitted previously.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	FBRR, LT1, and other new rules when available. The charts should trace the State's response from identification of a violation through the State's most formal enforcement tools to final compliance. §142.11		
2.2.20	Screen data submitted by public water systems for evidence of data falsification, and take follow-up enforcement action as appropriate. If possible, report on follow-up enforcement actions taken and status.	Semi-annual self assessment	On-going.
2.2.21	Certify that the responsible State agency (if not the drinking water program) continues to enforce the Lead Ban , through inspections and State enforcement actions. §142 If possible, report on inspections and enforcement actions taken to enforce Lead Ban		On-going.
2.2.22	Maintain records of tests, measurements, analyses, decisions, and determinations performed on each PWS to determine compliance with application drinking water regulations; sanitary surveys, enforcement actions, vulnerability determinations, Public Notice, etc.; make records available to the Regional Administrator upon request. §142.14	As requested	On-going.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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2.2.23	<p>Consumer Confidence Report: Report on implementation of CCR Rule (§142.15, §142.16(f))</p> <p>States with Primacy for the CCR rule must report violations and enforcement actions directly to SDWIS by 11/15.</p> <p>States without Primacy: Report in August CWSs that sent out CCRs and those that did not in an easy to read format, EPA will generate violations for SDWIS. Report similar data for the certifications.</p>	Report to SDWIS by Nov. 15th	<p>The State has primacy and is currently complying with the reporting requirements.</p> <p>Mailed to all community systems information on CCR changes, including reporting requirements for source water assessments, chlorine, halocetic acids and trihalomethanes. Also, created complete CCR informational packet (template, sample CCR, mailing instructions, etc) available on diskette or CD to community systems requesting assistance. To date, we have mailed 13 diskettes, 3 CDs and have assisted 14 systems develop their CCR.</p>
2.2.18a	<p>Assist with data analysis of TTHM levels to make correlations to the increased health protection association with lower MCL.</p> <p>Provide annual average (or running annual average or both) TTHM data to Drinking Water Branch each February for prior year's data for every surface water or GUDI water system serving at least 10,000 people.</p>	<p>February 28, 2003 for calendar year 2002 data; by February 28, 2004 for calendar year 2003 data; and by February 28, 2005 for calendar year 2004 data.</p>	On-going via SDWIS / State.
2.2.19	Continue work on the activities spelled out in the mutually agreed upon Implementation Agreement for LT1 . For small system (<10,000) compliance	Report by 11/15/03. Following	Profiling requirements are being checked during Sanitary Surveys. Any violations are reported via SDWIS/State.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	with profiling, report # and % of systems that did not comply.	report due 05/15/04.	
2.2.23	Consider this a place holder for the Office of Enforcement and Compliance (OECA) reporting measures. [As far as we know, there are no additional reporting requirements for the States. OECA primarily looks at SNCs, SNCs which have returned to compliance, and those SNCs which are exceptions. OECA Priorities include implementation and enforcement of microbial rules and Federal enforcement of new rules]		
2.3 Regulation Development and Authority Adopt all rules on schedule as required by §142.12 and any Special Primacy requirements found at §142.16. States are strongly encouraged to adopt rules within the two years deadline to avoid a crunch in future years. Complete all primacy application packages as specified in any applicable memorandum of agreement or extension agreement. Report on any major implementation issues or problems. Apply for extension of time to adopt new regulations within two years of promulgation. Region III prefers at least a 3 month lead time to complete Extension Agreements by this deadline. Also see EPA Region III's Binders, mailed to each State as the Implementation Guidances become final (these contain the primacy revisions to specific rules and new primacy requirements to be added as per SDWA 1996). NOTE: All rule effective dates, primacy revision package/extension request dues dates are included in Appendix E of the PWSS Guidance Document.			
2.3.1	Analytical Methods Rule Changes Revise the State rules so that they are as stringent as the analytical methods changes published on December 5, 1994, March 5, 1997, December 1, 1999, October 23, 2002 and October 29, 2002 in the Federal Register. §142.12	Within 2 years of promul- gation	Completed.
2.3.2	Maintain required statutory and regulatory authorities (those upon which primacy approval was based). Report on the status of any State	Report changes or potential changes in	Completed. No reorganization that would have an effect on statutory or regulatory authorities.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	reorganization, and their effects on statutory or regulatory authorities, and on implementation. Report on any changes to statutory, regulatory or laboratory certification status of the State Primacy Agency. §142.12	semi-annual self-assessment.	
2.3.3	Continue to implement activities under the Lead and Copper Rule (LCR) Minor Revisions Revise the State's implementation plan for the Lead and Copper rule, as necessary. §142.12 and §142.16(d)	Make revisions as needed.	On-going. No changes needed for the implementation plan.
2.3.4	Prepare for and adopt Ground Water Rule (GWR) Submit Primacy Revision Application or Extension Request to EPA by early 2006 based on estimate of 2004 final rule promulgation. §142.12 and §142.16		N/A GWR not finalized as of 3-31-05.
2.3.5	Prepare for Radon Rule . Submit Primacy Revision Request or request extension in accordance with final rule promulgation. Submit Radon Rule MMM Letter of Intent, [90 days from final rule promulgation]; §142.12		N/A RR not finalized as of 3-31-05.
2.3.6	Prepare for new regulations to be promulgated in 2004 and 2005 with State rule adoption due 2	Within 2 years of	N/A; rules not finalized as of September 30, 2004.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	years later: LT2/Stage 2 DBP, MTBE SMCL. §142.12 and §142.16	promulgation	

2.4 Surveillance and Technical Assistance

2.4.1	<p>Maintain an adequate sanitary survey program. Document deficiencies found in the surveys and follow-up to correct these deficiencies within the State's authority. Please provide the number of CWSs, NTNCWSs, and NCWSs which are scheduled for sanitary surveys in FYs 2005 and 2006 in the State's workplan and provide an update on the number of surveys completed. Please report on any key survey deficiencies or issues at SNC systems.</p> <p>Report sanitary survey numbers and key survey deficiencies or issues in semi-annual self-assessment. §142.16</p>	<p>Semi-annual self-assessment</p>	<p>Deficiencies observed during inspections are described in Sanitary Surveys and the systems are notified of requirement to respond to deficiencies within 45 days. Systems' responses are reviewed and tracked with follow-up contact for assurance of implementation plans.</p> <p>Estimated number Class 1 Sanitary Surveys to be performed:</p> <table><tr><td></td><td><u>FY 06</u></td><td><u>FY 07</u></td></tr><tr><td>CWS</td><td>156</td><td>101</td></tr><tr><td>NTNC</td><td>13</td><td>21</td></tr><tr><td>TNC</td><td><u>16</u></td><td><u>73</u></td></tr><tr><td></td><td>185</td><td>195</td></tr></table> <p><u>Sanitary Surveys Completed Year-to-Date</u></p> <table><tr><td>CWS</td><td>47</td></tr><tr><td>NTNCWS</td><td>9</td></tr><tr><td>TNCWS</td><td><u>6</u></td></tr><tr><td></td><td>62</td></tr></table>		<u>FY 06</u>	<u>FY 07</u>	CWS	156	101	NTNC	13	21	TNC	<u>16</u>	<u>73</u>		185	195	CWS	47	NTNCWS	9	TNCWS	<u>6</u>		62
	<u>FY 06</u>	<u>FY 07</u>																								
CWS	156	101																								
NTNC	13	21																								
TNC	<u>16</u>	<u>73</u>																								
	185	195																								
CWS	47																									
NTNCWS	9																									
TNCWS	<u>6</u>																									
	62																									
2.4.2	<p>Maintain adequate plan and specification review program to assure that design and construction of new and modified drinking water system facilities</p>		<p>From 10-1-04 through 3-31-05: 177 water project plans were reviewed and 141 Permits to Construct were issued.</p>																							

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

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	<p>will be capable of complying with the drinking water regulations.</p> <p>Please provide an update on the number of reviews completed or key problem areas in semi-annual self-assessment. §142.10</p>		
2.4.3	<p>Maintain the capability to respond to emergency circumstances and to ensure provision of potable drinking water under emergency circumstances. Assist water systems with vulnerability assessments and new security concerns. Please report on any ongoing emergency issues in self-assessment. §142.10</p>	Semi-annual self-assessment	Technical staff representatives have received emergency response training and will receive additional training as available. Field technical staff responded to flooding events and assisted with restoration of services. Staff has assisted water systems with questions on vulnerability assessments and site security issues during Sanitary Surveys.
2.4.4	<p>Maintain documentation for and implement a Quality Management System which includes an adequate laboratory certification program. Update the State Quality Management Plan for the PWSS Program. The State PWSS Quality Management Plan (QMP) documents the Standard Operating Procedures (SOP) and QA/QC requirements for the laboratory and the PWSS quality assurance systems. The QMP will include management and organization regarding QA, descriptions of technical tools of QA for all program functions including: laboratory certification and SOPs; PWS compliance, inventory and monitoring data; personnel qualifications and training, and other</p>	Report on status of addressing EPA's QA recommendations.	Received EPA's QA recommendations, made necessary modifications and re-submitted February 2005.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	information. This plan is mandatory for all PWSS grant recipients and must be updated annually or as needed. Submit additional requested documentation for conditional approved plans to make QMPs approvable. 40 C.F.R. §30.54 and 31.45 and EPA Guidance–EPA QA/R-2		
2.4.5	Develop, implement and update documentation for Quality Assurance Project Plans (QAPP) for collection, transport and analysis of samples intended for developing information or data to be used for implementation of the PWSS Program. QAPPs are to follow EPA guidance on plan development. QAPPs are not necessary if State PWSS Program staff do not collect any samples in the implementation of the PWSS program. These plans must be updated as needed. 40 CFR §§30.54 and 31.45, EPA Guidance EPA QA/R-5. Review QAPPs of contractors.	Update annually	N/A. All samples are transported by PWS personnel or their designee.
2.4.6	Establish and maintain a state program for the certification of laboratories conducting analytical measurements of drinking water; assure availability to the state of laboratory facilities certified and capable of performing analytical measurements of all contaminants.		On-going.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	<p>State Lab should complete PT sample studies and repeating of any analysis that were unacceptable in make-up studies.</p> <p>§142.10(b)(3) & (4) To the extent possible, place listing of labs on website.</p>		
2.4.7	<p>Unregulated Contaminant Monitoring Rule (UCMR) - Carry out responsibilities under the mutually agreed upon Partnership Agreement (PA). Specifically those activities occurring in FY2005 & 2006</p> <ul style="list-style-type: none"> - Provide sampling and reporting assistance to those water systems performing monitoring of List 1 and List 2 contaminants; - Ensure that each system's treatment plant location(s) as latitude and longitude is reported to SDWIS; (this is in addition to the street address) - Assist EPA in obtaining water system compliance through follow-up contact with those systems non-complying. EPA will provide a list of such systems. - Review monitoring data reported to SDWARS/UCMR. - Work with Community water systems to include UCMR data in CCRs 	<p>Report in semi-annual self assessment.</p> <p>Treatment plant lat/long must be reported to SDWIS prior to UCMR data being reported to NCOD.</p>	Completed.
2.4.8 Training			
2.4.8.1	Leverage both PWSS and DWSRF grant set-aside	Semi-annual	Grant awarded to the West Virginia Rural Water

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	funding to increase the amount of training made available to operators of public water systems. Training on regulations, treatment technologies (particularly small system treatment technologies) and public education should be stressed. Report on the type and numbers of training courses given.	self assessments	Association (WVRWA) to provide training courses. 2% technical assistance has been utilized through WVRWA via contract extension from November 2004 through October 2005. WVRWA has provided training classes for operator continuing education hours. 173 training hours have been completed from October 2004 through March 2005 for continuing education.
2.4.8.2	Train State and local PWSS program staff on new and current regulations and water treatment technologies with a focus on small system treatment technology. EPA Region III will assist wherever possible.	Semi-annual self assessments	On-going.
2.5 Program Management			
2.5.1	Prepare preliminary FY 2005 and FY 2006 grant application(s) which addresses all applicable required grant elements, and submit all required grant forms and supporting documentation. 40 C.F.R. Part 31 & 35	July 1, 2005 (and July 1, 2006 if State does not elect to apply for a two year project and budget period. In this case, however, minor revisions and additional budget pages may still be	On-going. Due date in next reporting period.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
		needed.)	
2.5.2	Prepare and submit a final FY 2005 and FY 2006 grant application which addresses all Region III comments on the preliminary draft plan, including all budget documentation and supporting information. 40 C.F.R. Part 31 & 35. Consider two-year applications.	August 1, 2005 (and August 1, 2006 if State does not elect to apply for a two year project and budget period. In this case, however, minor revisions and additional budget pages may still be needed.)	On-going. Due date in next reporting period.
2.5.3	Prepare and submit a semi-annual self assessment which reports State progress in meeting State program plan commitments to the Region. Entails reporting on all activities as identified in the work plan including those performed by the recipient, by contractors and through interagency agreements. Self assessment shall include: a progress summary, justification for any outputs not submitted in accordance with the agreed upon schedule, and a discussion of anticipated program problems in the upcoming quarter(s). The first status report should contain a listing of each milestone (output) and their schedule completion	May 15 th and November 15 th	On-going. Reports submitted as required.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	<p>dates for all proposals.</p> <p>It is expected that this document will also serve as a reporting tool. 40 C.F.R. §31.40 and §142.15</p>		
2.5.4	Hiring status: include current organization chart, listing of vacancies associated with funding source (PWSS, SRF or state) and a status of filling each vacancy.	Semi-annual self assessments and as requested	OEHS organizational chart attached. Currently have vacant positions posted, or are in the process of hiring.
2.5.5	All changes to the approved workplan must be discussed with the EPA State Program Manager prior to making the change in order to determine if this is a <i>significant program change</i> requiring an amendment or other written documentation for the grant award. 40 CFR Part 31 & 35	As needed	Understood.
2.5.6	<p>Provide a Final Financial Status Report documenting FY 2004 and FY 2005 expenditures within 90 days of end of budget period. Program staff are strongly encouraged to work with state grants administrative staff to ensure that this occurs in a timely manner since it can effect carryover applications and awards. Report on steps taken to ensure this occurs.</p> <p>If State elects to apply for a two year budget and project period, FY 2004 FSR will be an interim submittal.</p> <p>40 C.F.R. Part 31</p>	<p>December 31, 2004 for FY 2004 expenditures;</p> <p>December 31, 2005 for FY 2005 expenditures.</p> <p>The FY 2004 FSR will be an interim FSR if State is on a two year budget and</p>	On-going.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
		project period.	
2.5.7	Maintain records as per §142.14		On-going.
3	<p>Activities Required to Receive Entire Drinking Water State Revolving Loan Fund (DWSRF) Program Allocation</p> <p><i>Note: Section 3 is included in this Generic PWSS Guidance for additional background information and to help describe the full breadth of the SDWA programs. If any state activity to meet requirements outlined here in Section 3 are funded under the DWSRF set-aside funds, they should NOT appear in the PWSS Program grant workplan. See additional National and Regional Guidance for more details on DWSRF applications/workplans.</i></p> <p><i>The activities under Sections 3.0 General, 3.1 Capacity Development and 3.2 Operator Certification are required to receive the entire DWSRF Program Allocation. The activities under Section 3.3 Source Water Protection, are not required to receive DWSRF funds. However, if the State wishes to adopt alternative monitoring requirements, the State must have an approved source water protection program, and the State can use DWSRF funds to conduct source water assessments.</i></p>		
3.0	<p>General Provisions</p> <p>Prepare a plan that identifies the intended uses of the amounts available to the DWSRF Program annually.</p> <p>SDWA 1452(b)(1)</p>	Annual	An Intended Use Plan (IUP) is prepared annually and identifies the uses of DWSRF funds.
3.0.1	Develop and publish a list of prioritized projects in the State that are eligible for funding. The State should develop an overall priority list, as well as a list of projects to be funded in the coming year.		An annual list of prioritized projects in the State that are eligible for funding is developed and included in the IUP which is advertised and open for public comment. Projects are amended as necessary.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	SDWA 1452(b)(3)(B) and page 9-11 of the February 28, 1997 final DWSRF Guidance		
3.0.2	Review all Significant Non-compliers and list of chronic non-compliers before providing a loan. SDWA 1452(a)(3)(C) Report, if possible on status of loans provided or will be provided.	On-Going	During the preparation of the prioritized project listing for potential loan recipients, projects on the priority list are compared to the list of chronic non-compliers and significant non-compliers.
3.0.3	Prepare and submit a report to U.S. EPA every 2 years on the State's activities in administering the DWSRF Program, including the findings of the most recent annual audits of the fund conducted by the State. SDWA 1452(g)(4), and page 45 of the February 28, 1997 final DWSRF Guidelines	Every 2 years	The state submits an annual program activity report, with the most recent one being submitted in November 2004.

3.1 Capacity Development

Background Notes:

The State had until September 30, 1999 to obtain legal authority or other means to ensure that all new CWSs and new NTNCWSs that commence operation after October 1, 1999, demonstrate technical, managerial, and financial, (TMF) capacity with respect to the NPDWRs. Twenty percent of a State's allotment would have been withheld beginning October 1, 1999 for FY'00 funds. In the fiscal years following a state's initial documentation of a fully functional program, a state must document that it is requiring a demonstration of technical, managerial, and financial capacity by every new CWS and every new NTNCWS to avoid withholding of 20% of its DWSRF allotment. 1452(a)(1)(G)(i) and 1420 (a), and page 15 of the February 28, 1997 DWSRF Guidelines.

The State had until August 6, 2000 to develop and begin implementing a strategy to assist existing PWSs in acquiring and maintaining technical, managerial, and financial capacity, otherwise 10% of the FY '01 DWSRF funds allocated to the State would have been

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
<p>withheld. In the fiscal years following a state's initial documentation of a fully functional program, a state must document that it is implementing its strategy to avoid withholding of 20% of its FY'03 DWSRF allotment and in each subsequent year. 1452(a)(1)(G)(i) and 1420 (c), and page 16 of the February 28, 1997 DWSRF Guidelines.</p>			
3.1.0	<p>Capacity Development Authority (<u>New Systems</u>) SDWA Section 1420</p> <p>Legal authority must be effective by October 1, 1999 to ensure that new systems (CWSs and NTNCWSs) have technical, managerial, and financial capacity. The DWSRF 20% withholding provision began on October 1, 1999 for FY '00 funds. The withholding provision will continue into each successive FY until authority is obtained and is being implemented. The state's program will be evaluated annually as of October 1. The withholding occurs at the time of the DWSRF award for those FY funds.</p>		
3.1.0.1	<p>Annual Review and Reporting on New System Demonstration of TMF:</p> <p>A state must document that it is requiring a demonstration of technical, managerial, and financial capacity by every new CWS and every new NTNCWS.</p> <p>Documentation could consist of summary statistics regarding the number of new CWSs and NTNCWSs and the results of their required capacity demonstrations. Documentation should also address methods used to evaluate and verify program implementation.</p> <p>Each semi-annual progress report should include:</p> <ul style="list-style-type: none"> Number and list of approved new CWSs 	<p>Include with a given year's capitalization grant application, in the semi-annual self assessment or in an entirely separate submittal.</p> <p>Semi-annual</p>	<p>New systems are required to complete form EW-100, "Capacity Development Questionnaire (Addendum)." Upon review of the completed form, a determination is made if the system has adequate capacity and the Permit to Construct is issued or denied accordingly.</p> <p>Between 10-1-04 and 3-31-05 two new systems applied for a Permit to Construct; completed and returned the appropriate EW-100 and permits were issued. One system made application for a Permit but has not yet filed a completed Addendum.</p> <p>A Permit to Construct was issued to the Bureau of U. S. Customs and Border Protection in November 2004.</p> <p>One new system applied for a Permit to Construct but withdrew their application in November 2004.</p>

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	<p>and NTNCWSs</p> <ul style="list-style-type: none"> • Compliance status of new CWSs and NTNCWSs that commenced operation after October 1, 1999 <p>See PWSS Guidance, Appendix D for a sample reporting format.</p>	self assessments	
3.1.1	<p>Capacity Development Strategy (<u>Existing Systems</u>) 1452(a)(1)(G)(i) and 1420 (c), and page 16 of the February 28, 1997 DWSRF Guidelines. Background Notes: The State had until August 6, 2000 to submit and begin implementing a strategy to assist PWSs in acquiring and maintaining technical, managerial, and financial capacity, otherwise 10% of the FY '01 DWSRF funds allocated to the State will be withheld. In the following fiscal years, a state must document that it is implementing its strategy to avoid withholding of 20% of its DWSRF allotment in FY'03 and subsequent years.</p>		
3.1.1.1	<p>Annual Review and Reporting for <u>existing system</u> implementation:</p> <p>c Each year, as a stand-alone submittal; as part of the semi-annual self assessment; or as part of the state's capitalization grant application, the state must provide documentation showing the ongoing implementation of their capacity development strategy.</p> <p>c Such documentation may consist of a concise narrative description of the major activities being</p>	<p>Include with a given year's capitalization grant application, in the semi-annual self assessment or in an entirely separate submittal.</p>	<p>Annual Report submitted to EPA November 2004 documenting implementation of the strategy.</p>

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	conducted and planned for under the state's capacity development strategy.		
3.1.2 Other Annual Review and Ongoing Reporting Requirements:			
3.1.2.1	Submit, and periodically update, a list of CWSs and NTNCWSs that have a history of significant noncompliance (SNC) and, to the extent practicable, the reasons for their noncompliance. Failure to submit the list could result in the withholding of 20% of the state's DWSRF. (This activity repeats every three years) SDWA 1420(b)	Due by July 15, 2006	N/A Next due date not within this fiscal year report.
3.1.2.2	The State must submit a report to the Governor on the efficacy of the strategy and progress made toward improving the technical, managerial, and financial capacity of PWSs in the State. The report shall also be made available to the public. (This activity repeats every three years)	Next Report is Due 10/01/2005	The last Report to the Governor was submitted September 30, 2002. Next due date: September 2005. Preparation on this report will begin during second half of this fiscal year in order to meet the deadline.
3.2	Operator Certification Programs		
3.2.1	To avoid a 20% SRF withhold, States must continue to implement Programs that meet the baseline requirements of the Guidelines and	Reports are due June 30th.	Last submittal was June 2004. Anticipate submitting next report June 30, 2005.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	provide Annual Program Reports as per EPA Guidance memo dated 10/15/2001.		
3.3	Source Water Assessment and Protection <u>Background Notes:</u> <i>Source water assessments are required of primacy States, if the State chooses to adopt alternative monitoring requirements under 1428(b). The State must obligate (but not expend) its grant funds to delineate and/or complete source water assessments within 4 years after the State receives its grant. [1452(k)(1)(C), and pages 22-23 of the DWSRF Guidelines.] In addition, up to 10 percent of the FY 1998 funds can be set aside to administer or provide technical assistance through source water protection programs.</i>		
3.3.0	<p>Implement State Source Water Assessment Program (SWAP) Plan, and report progress and relevant activities underway. Include copies of contract agreements, MOUs, etc. with other agencies and contractors as per DWSRF Grant Condition. Discuss any significant barriers to implementation with EPA as soon as possible.</p> <p>The GPRA Goals are:</p> <p>a) # and % of population and community water systems (or source water areas) that will achieve minimized risk to public health by substantial implementation, as determined by the state, of source water protection actions in a source water</p>	<p>Semi-annual self-assessments, (or other mutually agreed upon dates, such as alternate DWSRF setaside reporting dates)</p>	<p>Note: The Final Reporting Guidance from the EPA was published in March 2005. The GPRA information will be submitted to EPA after WVDHHR determines a developmental process, in cooperation with EPA for determining GPRA goals.</p> <p>On-going. WVDHHR continues to complete SWAP studies for new PWS systems within the State and continues to participate and build SWAP protection efforts by prioritizing protection efforts, program resources, education and outreach efforts in developing and implementing protection measures.</p> <p>On-going. WVDHHR continues to financially support the WVDEP UIC Class V program. Contract has been signed and work is proceeding.</p>

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	<p>strategy.</p> <p>b) # and % of community water systems (or source water areas) that have a protection strategy in place.</p> <p>c) # and % of community water systems (or source water areas) that have implemented some aspect of a protection strategy.</p> <p>Report annually for CWS/ NTNCWS/ TNCWS. SDWA 1453(a)(3) & GPRA</p>		<p>On-going. WVDHHR continues to partner with WVDEP Water Education Training (WET) Program to train public school teachers and students about drinking water issues. Vendors for constructing the groundwater models are currently under review.</p> <p>Groundwater Methane study – USGS contract has been signed and the project is proceeding with collecting samples.</p> <p>2005 Water Awareness Symposium – Participating in initial efforts with the Canaan Valley Institute and West Virginia University to coordinate a water issues symposium in the fall of 2005. In addition, planning to hold several smaller SWAP symposiums at the local level this fall.</p> <p>Yield and Drawdown -- Waiting on update to water well design rules to try to incorporate. Anticipate proceeding with potential contract by fall 2005.</p> <p>GPRA Goal: 133 systems for 25% serving a population of 214,064.</p> <p>See Appendix F for numbers and percentages.</p>
4.	Recommended Activities (These are activities that do not affect PWSS Primacy or the receipt of Drinking Water State		

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	Revolving Loan Funds. However many could be funded under either program.)		
4.0	Report system street address information and the latest sanitary survey information to SDWIS, including sanitary surveys at Federal facilities. Please also report owner type codes, so that Federal facilities can be identified, and service area category information codes, so that schools, mobile home parks, etc., can be identified. Please submit complete and accurate source information. (Refer to Federal Reporting Data System (FRDS)/SDWIS documentation for the details on this reporting.) Please provide complete treatment process and treatment objective codes so that source waters requiring treatment beyond conventional treatment to address source water quality problems can be identified in 305(b) water quality assessments, and the Index of Watershed Indicators. See SDWIS reporting Guidance	Quarterly to SDWIS	On-going through SDWIS/State and data quality review.
4.1	Enter informal enforcement actions to SDWIS to present a more complete picture of violation follow-up.	Quarterly to SDWIS	On-going through SDWIS/State.
4.2	Enter or correct latitude/longitude information to SDWIS for any remaining systems. Enter or correct the information on surface water systems first. Priorities for entering data for the remaining	Quarterly to SDWIS	SWAP contractors have completed acquiring lat/long data. Currently, quality checking data before entering into SDWIS/State.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	systems are groundwater CWSs next, then groundwater NTNCWSs, followed by TNCWSs. Coordinate, as appropriate, with the EPA data management staff to ensure that all needed data storage capabilities for source water protection efforts are accounted for in the modernized EPA STOrage and RETrieval system (STORET), EPA's data management program for ambient water quality. Also coordinate with State Clean Water Act and EPA staff to strengthen State geo-referencing capabilities to better track monitoring information for mapping and GIS applications. GIS tools, including the Reach File 3 system that assigns unique location identifiers to the waters of the U.S., will be valuable in source water assessments.		
4.3	Develop and maintain a cross connection control program. §142	Semi-annual self-assessments	On-going. New legislation was passed March 13, 2004 requiring PWSs to create and maintain a cross-connection / backflow prevention program and/or policy. New rules were also passed providing for certification of cross-connection / backflow testers. The training was offered at the WV Environmental Training Center at Cedar Lakes, Ripley, WV. Currently soliciting bids to provide six 40-hour training classes throughout the State and four renewal courses to assist the small PWS system operators.
4.4	Interact with other State programs, local governments, and other stakeholder groups that affect or are affected by the drinking water	Quarterly to SDWIS	Wellhead Protection Program within PWSS program routinely coordinates with other stakeholders (i.e., WVDEP) and others to enhance program activities.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	program (e.g., wellhead protection programs, watershed protection programs).		
4.4.0	Plan for source water protection and source water assessment programs simultaneously. For example, use current information on the hydrology and hydrogeology of different regions of the State to determine the degree of detail appropriate for the source water assessments. These assessments are necessary to support the source water protection programs being considered. Protection programs will likely be necessary in order to provide local flexibility on monitoring relief, ground water disinfection, regulation of Class V underground injection control wells, and filtration.	Semi-annual self-assessments	On-going. Wellhead Protection Program helps guide local drinking water protection efforts and awareness by prioritizing protection efforts and program resources. Continue to support the Class V underground injection control program within WVDEP. Assist in educational and outreach efforts in developing and implementing protection measures. Improve cooperation and coordination between other state agencies and federal programs.
4.4.1	Participate in State implementation of the 305(b) guidelines for drinking water to elevate awareness of drinking water as a designated use within the 305(b) program, increase the percentage of waters assessed for drinking water use support, and enhance the accuracy and value of the assessments. Facilitate a working relationship between the State drinking water and clean water staff to provide the most accurate and representative assessment of source waters, based on available data which the State believes best reflects the quality of the resource. Adopt the Watershed approach. Work with State water quality standard staff to ensure that use designations under the Clean Water Act reflect	Semi-annual self-assessments	Staff of the Bureau for Public Health has developed a working relationship between the State's SDWA program, Water Quality Board and the Clean Water Act program to provide the most accurate and representative assessment of source waters, based on available data which the State believes best reflects the quality of the resource. Participates with USGS and WVDEP on the ambient groundwater monitoring program.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	the location of surface source water areas for drinking water intakes, and wellhead protection areas which may be influenced by surface water (i.e., induced infiltration of surface water into drinking water wells). Be sure upstream dischargers are aware of downstream drinking water intakes. Also, work cooperatively with State ambient monitoring staff, including the 305(b) staff, to ensure that duplication of monitoring efforts in source water assessment projects are not occurring, that existing data are recognized and used, and that any new data that are collected are appropriate. EPA Region III will assist in the use of STORET data as needed.		
4.5	Coordinate with national, state and local agencies to encourage identification and reporting of waterborne disease outbreaks associated with drinking water.	Semi-annual self-assessments	Coordination is conducted through the interaction of the Office of Environmental Health Services Director and other directors within the Bureau which identifies waterborne disease outbreaks in conjunction with local health offices and the national level.
4.6	Encourage systems to optimize their treatment plant performance beyond current requirements. (Participation in Partnership for Safe Water and/or Area Wide Optimization Program)		AWOP program underway. State's component completed. Representatives participate in regular EPA Region III meetings.
4.7	Perform public education responsibilities, such as responding to press inquiries, educating the general public, and conducting outreach.		On-going. WVDHHR partners with WVDEP Water Education Training Program to train public school teachers and students about drinking water issues. Planning to hold a series of sourcewater symposiums around the State.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
4.8	Obtain Internet access to improve communications with other agencies, and outreach to the public. Develop computer communications with field offices.		WV Bureau for Public Health has had an internet site and web access for several years. All district offices are on-line through the BPH's network.
4.9	Track the following compliance assistance activities: small system assistance programs, workshops, onsite assistance, guidance on State regulations and other outreach materials, hot lines or other responses to inquiries from individuals, trade shows, and conferences. Note: The Office of Enforcement and Compliance Assistance at Headquarters is interested in State compliance assistance efforts. Please provide whatever information is easily available, or that does not require extensive time and resources to collect. (This type of information should also be included in the State's Annual Compliance Report, due each July 1 for the previous calendar year.)	Semi-annual self-assessments	WV Rural Water Association workshops, Agency newsletters and the AWWA provide applicable information. OEHS staff are often presenters at these functions. District staff advise systems as to measures/ procedures needed to return to compliance, including technical and operational matters.
4.10	Water Conservation Guidelines: On August 6, 1998, EPA published a document entitled " <i>Water Conservation Plan Guidelines</i> ." These voluntary guidelines will encourage conservation by water systems, particularly small systems, thereby extending the life of water treatment infrastructure and reducing costs. The guidelines do not contain any federal		Capacity development assessments encourage systems to control water loss through leak and/or inadequate metering. Systems looking to receive funding through state agencies via the State Infrastructure and Jobs Development Council are typically required to address high unaccountable water losses prior to their projects receiving funding for water treatment plant expansions or extensions.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
	requirements; however, after August 6, 1999 states and Indian Tribes may require water systems to submit a water conservation plan consistent with EPA's guidelines as a condition of receiving a loan from a State Drinking Water Loan Fund.		
4.11	Drought Contingency and Water Supply Assistance: Continue to monitor water systems affected by drought conditions to ensure an adequate supply of water. Assist water suppliers with obtaining alternate sources, handling any contamination associated with the drought, development of contingency plans and assisting with outreach efforts on water conservation.	Semi-annual self-assessments	On-going.
4.12	Develop Emergency Preparedness and Response Plans at the State and water system level. Develop training, fact sheets; conduct workshops and perform vulnerability assessments.		On-going.
4.13	STAG and S&T Grants: Report on activities being performed in workplans.	Monthly Status Report. Project Period ends Nov. 2004.	On-going.

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
5	Additional State Activities funded with PWSS Grant monies: Include here any additional projects funded under the PWSS grant. You may also want to use this area to track equipment purchases, staff hiring, etc. or do so on a separate page.		